

DOCKET 1169

DATE OF HEARING	December 1, 2014
NAME	Ladue Chapel Presbyterian Church
DESCRIPTION OF PROPERTY	9450 Clayton Road
CAUSE FOR APPEAL	Relief from the decision of the City Planning Consultant and City Clerk for a sign which violates Section 130-3 (4) (a) of Ordinance 1912.
RULING OF THE BOARD	After a discussion of the facts presented, the Board granted a variance for a sign at the west entrance not to exceed a sign face area of four square feet. The applicant was granted a continuance for the east sign to allow for redesign of the sign.

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
Monday, December 1, 2014

DOCKET 1169
9450 Clayton Road

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Monday, December 1, 2014, at City Hall.

The following members of the board were present:

Mr. Stanley Walch, Chairman
Mr. David Schlafly
Ms. Liza Forshaw
Mr. John Shillington
Ms. Robbye Toft

Also present were: Mr. Michael W. Wooldridge, Asst. to the Mayor / City Clerk; Mr. James Schmieder, Director of Building and Planning; Mr. Michael Gartenberg, Building Official.

Mr. Walch called the meeting to order at 4:00 PM.

Notice of Public Hearing, as follows:

**NOTICE OF PUBLIC HEARING
ZONING BOARD OF ADJUSTMENT
CITY OF LADUE, MISSOURI
DOCKET NUMBER 1169
(continued from November 3, 2014)**

Notice is hereby given that the Zoning Board of Adjustment of the City of Ladue, St. Louis County, Missouri, will hold a public hearing on a petition submitted by Ladue Chapel Presbyterian Church, 9450 Clayton Rd., Ladue, MO 63124, requesting relief from the ruling of the City Planning Consultant and City Clerk denying a permit for a sign which violates Section X, F, (6), (a), of Zoning Ordinance 1175.

The hearing will be held at 4:00 p.m. on Monday, December 1, 2014, at the City Hall, 9345 Clayton Road.

The hearing will be public and anyone interested in the proceedings will be given the opportunity to be heard.

Pursuant to Section 610.022 RSMo., the Zoning Board of Adjustment could vote to close the public meeting and move to executive session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under section 610.021 (1) RSMo.


Stanley Walch, Chairman
Zoning Board of Adjustment

Mr. Walch introduced the following exhibits to be entered into the record:

Exhibit A – Zoning Ordinance 1175, as amended;
Exhibit B – Public Notice of the Hearing;
Exhibit C – Permit denial dated September 24, 2014;
Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from the resident requesting the variance dated October 3, 2014, 2014, and any letters of support;
Exhibit F – Entire file relating to the application.

(Transcript attached as part of the minutes)


Mr. Stanley Walch, Chairman

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ZONING BOARD OF ADJUSTMENT
CITY OF LADUE
LADUE, MISSOURI

IN THE MATTER OF:)
)
LADUE CHAPEL PRESBYTERIAN CHURCH) Docket No. 1169
9450 CLAYTON ROAD)
LADUE, MISSOURI 63124)

Monday, December 1, 2014

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ORIGINAL

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ZONING BOARD OF ADJUSTMENT  
CITY OF LADUE  
LADUE, MISSOURI

IN THE MATTER OF: )  
 )  
LADUE CHAPEL PRESBYTERIAN CHURCH ) Docket NO. 1169  
9450 CLAYTON ROAD )  
LADUE, MISSOURI 63124 )

BE IT REMEMBERED that on the 1st day of  
December, 2014, hearing was held before the Zoning  
Board of Adjustment of the City of Ladue, Missouri, at  
Ladue City Hall, 9345 Clayton Road, in the City of  
Ladue, State of Missouri 63124, regarding the  
above-entitled matter before Bobbie L. Luber,  
Certified Court Reporter, Registered Professional  
Reporter, Certified Shorthand Reporter, a Notary  
Public within and for the State of Missouri, and the  
following proceedings were had.

A P P E A R A N C E S:

BOARD MEMBERS:

Mr. Stanley Walch, Chairman

Ms. Liza Forshaw

Mr. David Schlafly

Mr. John Shillington

Ms. Robbye Toft

Mr. Stanley Walch

Also Present:

Mr. Michael Wooldridge

Mr. Michael W. Gartenberg

Ms. Victoria Hampton

Ms. Tanya Goughenour

Court Reporter:

Bobbie L. Luber

Registered Professional Reporter #9209

Missouri CCR #621

Illinois CSR #084.004673

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St. Louis, MO 63131

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1                   (The Meeting of the Zoning Board of  
2 Adjustment of the City of Ladue was called to order at  
3 4:00 p.m.)

4                   CHAIRMAN WALCH: I will call this meeting  
5 to order. Ms. Forshaw was nice enough to remind me  
6 that we have some procedural things we have to go  
7 through, which our missing member, David Schlafly, has  
8 heard many times. If he is not here by the time we  
9 finish with those procedural matters we will stand in  
10 recess until he gets here.

11                  But, first, good afternoon, and welcome to  
12 the Ladue Zoning Board of Adjustment hearings. My  
13 name is Stan Walch.

14                  We have two cases to be heard by the board.  
15 I will start today's proceedings with some general  
16 procedural matters that will be incorporated in the  
17 record of the zoning appeals we will hear today, which  
18 are Docket Numbers 1169 and 1170.

19                  First I will introduce the board. To my  
20 far right is Robbye Toft. To my immediate right will  
21 be David Schlafly. To my left is Liza Forshaw. And  
22 to my far left is John Shillington.

23                  We also have with us the former mayor of  
24 the City of Ladue, the Honorable Tony Bommarito, who  
25 is in the back row. And up at the dais we have the

1 deputy building commissioner, Michael Gartenberg, and  
2 the city clerk, Michael Wooldridge. The mayor, Nancy  
3 Spewak is usually here. She may join us later, but  
4 she is not here at the moment.

5 The Code of Ordinances of the City of Ladue  
6 is incorporated into the record by reference in Docket  
7 Numbers 1169 and 1170. The zoning code of the City of  
8 Ladue, Ordinance 1175 as amended, which will be used  
9 by the board as the basis for reaching at least part  
10 of the decision in both zoning appeal cases we will  
11 hear today, will be marked as Exhibit A and included  
12 in the record number of Docket Numbers 1169 and 1170.

13 I also, because we have a peculiarity today  
14 in that we are dealing -- which we have jurisdiction  
15 to deal with, a request for a variance which we  
16 really, on further research, have determined violates  
17 the general Code of Ordinances, if not the zoning  
18 ordinance in particular, and that's the application of  
19 the Ladue Chapel for an entrance sign. And so I will  
20 include by reference as part of Exhibit A in that  
21 particular appeal the following sections 130-4 --  
22 let's see. I think I have got -- Section 130-3 of the  
23 ordinance of the City of Ladue, Section 130-4, Section  
24 130-6, Section 130-7, and Section 130-12. Those are  
25 the codes -- Code of Ordinances that are dealing with



1 the variance in the sign case for Ladue Chapel.

2 Now, as part of the record in both appeals  
3 we will hear this afternoon I will explain our  
4 processes. The appellant in each appeal will be given  
5 the opportunity to -- given an opportunity to present  
6 reasons why he or she feels that a variance is  
7 warranted based on practical difficulty or undue  
8 hardship. Reasons of economic considerations and  
9 self-inflicted hardships will not be considered by the  
10 board.

11 The board may have questions of each  
12 appellant. Following that, any member of the audience  
13 who wishes to address the case will be heard. Then  
14 the portion of each hearing for public comment will be  
15 closed and the board will discuss the matter among  
16 ourselves, and may ask different questions of the city  
17 staff and the appellant.

18 After the discussion I will ask if any  
19 member of the board wishes to propose a motion to  
20 approve the requested variance. If the motion is  
21 proposed and seconded, the board will vote on that  
22 motion.

23 And here is David Schlafly who just  
24 arrived.

25 MR. SCHLAFLY: Sorry for my tardiness.

1           CHAIRMAN WALCH: That's all right. We are  
2 just getting this procedural stuff out of the way  
3 first so we will be ready to go.

4           We will vote on that particular motion if  
5 the motion and seconded. Otherwise, I will ask the  
6 board to vote on whether the requested variance should  
7 be granted. This is most important. Four out of five  
8 members of the board must vote in the affirmative to  
9 approve the variance.

10           Finally, members of the board have visited  
11 both sites of which the appellant is seeking the  
12 variance this afternoon. Since we know what each site  
13 looks like, the appellant need not describe the  
14 physical characteristics of the sites to us.

15           Now I will open the hearing in the first  
16 case, which is Docket Number 1169, concerning the sign  
17 violates Section X, F, (6), (a), of Ordinance 1175  
18 and the other ordinances that I referenced earlier  
19 today.

20           And I will start by asking Mr. Gartenberg  
21 to explain the reason or reasons the plans for the  
22 entrance sign were disapproved so the audience and the  
23 members of the board have a clear understanding of the  
24 issues in this case.

25           And I will add, that this case was

1 continued in order to ascertain for the proposed signs  
2 that the Ladue Chapel wishes to install were on the  
3 public right-of-way, and they have furnished us with a  
4 survey. And it appears from that survey that it is  
5 not on the public right-of-way. So we would have no  
6 authority to grant you a rejection of a variance for  
7 that if that were the case, but fortunately it is not  
8 on the public right-of-way.

9           Would you explain the reasons,  
10 Mr. Gartenberg, why the proposed sign was denied.

11           MR. GARTENBERG: Absolutely, Mr. Chairman.  
12 There were three aspects of the application that were  
13 not in keeping with the requirements of the  
14 ordinances, the city ordinances. The first had to do  
15 with placement of the sign. And the city had asked  
16 for information to demonstrate that they were  
17 unsatisfactory and not on the right-of-way. This  
18 morning I received that information, and I concur that  
19 the proposed sign locations are not on city  
20 right-of-way, they are on private property.

21           The other two issues had to do with the  
22 size of the sign faces, and the height of the sign.  
23 The size of the sign faces as proposed is clearly  
24 shown on the application as being -- it's clearly  
25 identified what that is, and two feet high by 40

1 inches wide. So clearly it's exceeding the  
2 requirement, which as per section 130, it is to be one  
3 square foot per sign, which would include both sides  
4 of that.

5 There is also limitation on height, and  
6 that is in Section 130.6, 3 (a) and that says that the  
7 sign height shall be two feet or less than what is  
8 proposed to us, and the application exceeds that  
9 requirement as well.

10 The location issue has been resolved to  
11 demonstrate that it's in compliance, but the size of  
12 the sign faces and the height of the sign exceeds the  
13 means of our code requirement.

14 CHAIRMAN WALCH: Am I correct,  
15 Mr. Gartenberg, that the particular ordinances that  
16 you just cited apply to residential land, zoned for  
17 residential use?

18 MR. GARTENBERG: It's like all signs.

19 CHAIRMAN WALCH: All signs.

20 MR. GARTENBERG: Including residential,  
21 yes, sir.

22 CHAIRMAN WALCH: Including residential.  
23 Any other questions of Mr. Gartenberg? All right.

24 The following exhibits will be included in  
25 the record of the appeal of this case which

1 Mr. Wooldridge will give the court reporter in due  
2 course.

3 The first is Exhibit B which will be the  
4 public notice of this hearing.

5 Exhibit C will be the denial letter from  
6 the building official dated October 14th, 2014.

7 Exhibit D is the list of residents to whom  
8 the notice of public hearing has been sent.

9 The appellant's letter requesting a  
10 variance dated October 3rd, and I thought there was a  
11 later letter from the appellant in this case.

12 MR. WOOLDRIDGE: The denial letter was in  
13 September.

14 CHAIRMAN WALCH: The denial letter was in  
15 September.

16 MR. WOOLDRIDGE: September 24th.

17 CHAIRMAN WALCH: September 24th.

18 MR. WOOLDRIDGE: The applicant's letter is  
19 10/3.

20 CHAIRMAN WALCH: 10/3. Okay. Let me  
21 correct that. Exhibit C will be the denial letter  
22 from Mr. Gartenberg dated -- what is the date again?  
23 This says October 14th.

24 MR. WOOLDRIDGE: September 24th.

25 CHAIRMAN WALCH: September 24th. Thank

1 you. And the appellant's letter requesting a variance  
2 dated October 3, 2014, will be marked as Exhibit E.

3 Are there any other letters either in  
4 support or opposition to this requested variance,  
5 Mr. Wooldridge?

6 MR. WOOLDRIDGE: No, there is not.

7 MS. HAMPTON: If I might inquire just  
8 briefly. The only letter I know of that was sent from  
9 Ladue Chapel, the appellant, is dated October 1st.  
10 You may have received it on the 3rd.

11 MR. WOOLDRIDGE: It's dated October 3rd.

12 MS. HAMPTON: I'm sorry. This is -- okay.  
13 My copy says the 1st.

14 MR. WOOLDRIDGE: It's a draft.

15 MS. HAMPTON: No doubt.

16 CHAIRMAN WALCH: Do we agree it's the 3rd  
17 in the packet?

18 MR. WOOLDRIDGE: It's the one I have got  
19 here with the application.

20 MS. HAMPTON: Thank you.

21 CHAIRMAN WALCH: Finally, Exhibit F will be  
22 the entire file pertaining to this application,  
23 including any memorandum from staff or consultants to  
24 the Zoning Board of Adjustment for the City of Ladue.

25 And I believe with those preliminaries out

1 of the way, if the appellant and anyone who wants to  
2 speak on the appellant's behalf will come forward,  
3 give your name to the court reporter, and she will  
4 swear you in.

5 MS. TOFT: Is this the only person speaking  
6 on behalf of the appellant, or anybody who wishes to  
7 address this case?

8 CHAIRMAN WALCH: If anybody else wants to  
9 address this case they can come forward too now in an  
10 interest to save time.

11 MS. HAMPTON: No. She is a representative  
12 from the sign company.

13 CHAIRMAN WALCH: If she is going to --

14 MS. HAMPTON: No. She won't be speaking.

15 (At this time Ms. Hampton was sworn in by  
16 the court reporter.)

17 CHAIRMAN WALCH: Ms. Hampton, the floor is  
18 yours.

19 MS. HAMPTON: Okay. Thank you. More or  
20 less what I will be doing is restating what was said  
21 in the letter in that -- and you have observed the  
22 site. So in terms of describing it, as you are coming  
23 up that curve from the City of Ladue, when people are  
24 coming at speed, it's very difficult for them to see  
25 the church because of the setback from the street.

1 And we have a relatively low monument sign right  
2 there, but people pass that without even really seeing  
3 it. Particularly if they are using a GPS or a map or  
4 something else that they might have with them. And  
5 it's very difficult to slow down to hit that entrance  
6 because it's basically blind coming from that  
7 direction.

8 Coming from the other direction it can also  
9 be very difficult because you have already passed  
10 several churches, and as you come up on yet another  
11 church it can be easily missed, and people end up  
12 having to turn around in the streets, going to the  
13 City of Ladue, which as you know at various times of  
14 day can be kind of congested.

15 At night, in particular, when we have  
16 events, it can be difficult to see the church. We  
17 have experienced -- we have received comments from  
18 residents of Ladue, Cal Marks (phonetic) and Greg Hand  
19 (phonetic) were here at the last meeting where it got  
20 continued, and they were going to address that too as  
21 an issue that they have experienced.

22 That's basically it. We are concerned  
23 about the safety of the residents of Ladue. We are  
24 concerned about the safety of our members as they come  
25 to church. So it really is a safety concern for us.



1                   And as we reviewed the need for a specific  
2 size of sign, we looked at various places. MICDS in  
3 particular, and more or less based our sign design on  
4 theirs.

5                   MR. SCHLAFLY: When you say MICDS, you mean  
6 the size?

7                   MS. HAMPTON: When we looked at the size  
8 and what seemed to be appropriate in terms of the  
9 wordage on a sign of this sort, and the need for  
10 adequate lettering and things along that line.

11                  MR. SCHLAFLY: MICDS is a facility scale of  
12 a considerable larger complex.

13                  MS. HAMPTON: They are, and they have a lot  
14 more signs.

15                  MS. TOFT: Could I ask, Ms. Hampton, the  
16 intention is the western road is for egress and the  
17 eastern road is for ingress; is that right?

18                  MS. HAMPTON: Well, as a rule that main  
19 entrance is both entrance and egress.

20                  MS. TOFT: And that would be eastern?

21                  MS. HAMPTON: Right. The other entrance  
22 since it abuts Log Cabin so closely is only for  
23 entrance.

24                  MS. TOFT: So you can enter from both east  
25 and west, but the intention is that you would leave

1 only from the eastern drive?

2 MS. HAMPTON: Correct. The eastern drive.

3 MR. SHILLINGTON: Toward town.

4 MS. HAMPTON: Toward Lindbergh.

5 MS. TOFT: Toward Lindbergh would be the  
6 western.

7 MS. HAMPTON: The western then. I'm sorry.

8 MS. TOFT: Okay. So that the western drive  
9 is for two-way traffic, incoming and leaving?

10 MS. HAMPTON: Correct. Right.

11 MS. TOFT: Was consideration given to the  
12 main ingress to the eastern side given that short  
13 sight distance you have for eastbound vehicles? Would  
14 that not cure the notice problem you have?

15 MS. HAMPTON: The difficulty we would have  
16 there is that if that's the only way to get into the  
17 church, then you have to pass in front of the church  
18 through the area that we have reserved for handicapped  
19 parking, and then you have to make a left turn to  
20 continue forward at that point. We couldn't have  
21 people going straight through that way because then  
22 they would need to do a complete circuit of the  
23 property in order to park. And that would take them  
24 through the nursery school parking lot, which would be  
25 a concern for our children.

1 MS. TOFT: So there is no -- the parking  
2 area appears to me to be on the eastern side of the  
3 property; is that -- am I -- the large rear parking  
4 area is to the east?

5 MS. HAMPTON: This is our -- let me make  
6 sure I have myself oriented. This is our circular  
7 drive. So the main parking area is right here, in  
8 this area right here.

9 MS. TOFT: For the purpose of the record,  
10 you are indicating to the west.

11 MS. HAMPTON: Correct.

12 MS. TOFT: Okay. So these are not parking  
13 spots over here.

14 MS. HAMPTON: I am sorry. I'm  
15 directionally challenged.

16 MS. TOFT: This is Clayton Road.

17 MS. HAMPTON: This is Clayton Road. You  
18 come in here, and the current main entrance is right  
19 here, and the parking area is here. And this is a  
20 large playground area.

21 MR. GARTENBERG: This is parking, curb cuts  
22 here.

23 MS. HAMPTON: This is our main parking  
24 area. Perhaps to better illustrate it, we can use  
25 this as an overlay.

1 MS. TOFT: And that parking area, which  
2 would be to the southwest part of the property, is not  
3 accessible from the drive on the east?

4 MS. HAMPTON: Only if you go all the way  
5 around the property through the nursery school parking  
6 area.

7 MS. TOFT: What percentage of the time are  
8 you people accessing your larger parking area during  
9 the times when the nursery school would have children  
10 there?

11 MS. HAMPTON: The nursery school has  
12 children there, and the day-out program has children  
13 there Monday through Friday from 9:00 o'clock in the  
14 morning until 2:00 or 3:00 o'clock in the afternoon.

15 MS. TOFT: And as I look at the lot, it  
16 appears to me there would be parking to the south side  
17 of the church that would not require that drivers come  
18 near your playground area?

19 MS. HAMPTON: That's the entrance to the  
20 nursery school. So this is a playground that they  
21 use. This is a playground that they use. So the main  
22 issue we have is the cars coming and going with  
23 drop-off and pick-up, and various -- variety of  
24 reasons why people would be coming to the nursery  
25 school.

1 MS. TOFT: It's not a problem of concern  
2 for the children. Could that not be addressed by,  
3 say, fencing that area so you wouldn't have concern  
4 that children would step out into the drive?

5 MS. HAMPTON: But then we would be fencing  
6 off where -- I guess I'm trying to understand the goal  
7 here. Because this is -- to have to come in here  
8 would be incredibly inconvenient for anyone that needs  
9 to come here. And this was designed for two-way  
10 traffic, and this was not.

11 You have gone to the site, and so you know  
12 this is basically a single-lane road.

13 MS. TOFT: My point is, you are asking for  
14 two signs. And I'm trying to determine if you can  
15 minimize the number of signs by making the eastern  
16 roadway your exclusive entrance, rather than having  
17 two entrances where you need two monument signs.

18 MS. HAMPTON: I understand. If we were  
19 going to eliminate a sign, I would eliminate this one  
20 first. Our vast preference would be for this sign.

21 MS. TOFT: For the record, you are  
22 indicating --

23 MS. HAMPTON: The western sign.

24 MS. TOFT: On the aerial photograph the  
25 area where there is the numeral 4. You say you would

1     rather have a sign where the numeral 4 appears as  
2     opposed the numeral 5?

3                 MS. HAMPTON:   Absolutely.

4                 MR. GARTENBERG:   And is numeral 4 the  
5     western?

6                 MS. HAMPTON:   The western.   I have that  
7     down now.

8                 MS. TOFT:   And that's because this is a  
9     two-lane road, and you would prefer that the vast  
10    majority of the people be coming and going from the  
11    western drive as opposed to the eastern drive?

12                MS. HAMPTON:   Absolutely.   It's only for --  
13    well, in addition to reasons already given, this is  
14    relatively well lit compared to this.   And there is  
15    the circular drive here, which we consider our main  
16    entrance.   Only the disability parking is up here.

17                MS. TOFT:   And arguably, the disabled could  
18    enter from the western drive and access the  
19    handicapped parking spots?

20                MS. HAMPTON:   Uh-huh.

21                MS. TOFT:   You could make the western drive  
22    your exclusive entrance, and then restrict travel on  
23    your eastern drive to egress?

24                MS. HAMPTON:   Well, we couldn't do that  
25    because of the proximity to Log Cabin Road.

1 MS. TOFT: Because in fact you would use  
2 Log Cabin Road?

3 MS. HAMPTON: No, we don't. If you are  
4 trying to make a left turn -- if you are trying to  
5 make a right turn from here, you can essentially  
6 interfere with people trying to make a left turn out  
7 of Log Cabin Road.

8 MS. TOFT: Has that presented itself as a  
9 problem for people?

10 MS. HAMPTON: Well, I test did it myself  
11 and, yes, it's a problem. But that's the reason it's  
12 the entrance, an entrance only.

13 MS. TOFT: So you are saying you have to  
14 have two entrances?

15 MS. HAMPTON: Yes.

16 CHAIRMAN WALCH: I have a couple of  
17 questions if you are through, Robbye.

18 MS. TOFT: I'm through. Thank you.

19 CHAIRMAN WALCH: First, I take it one of  
20 these two pictures --

21 MS. HAMPTON: May I walk behind you?

22 CHAIRMAN WALCH: Sure. I take it these are  
23 the two signs that you are requesting?

24 MS. HAMPTON: That's the front and the  
25 back.

1                   CHAIRMAN WALCH: The front and back?

2                   MS. HAMPTON: Right.

3                   MR. SCHLAFLY: There is another sign.

4                   There is the second sign front and back.

5                   MS. HAMPTON: This is the one that we would  
6                   replace.

7                   MR. SCHLAFLY: That's the eastern. Right  
8                   by the entrance to Log Cabin Lane.

9                   MS. HAMPTON: There is currently a very  
10                  small sign that just indicates entrance.

11                  CHAIRMAN WALCH: Okay. That would replace  
12                  the -- if this variance were granted that would  
13                  replace the entrance sign?

14                  MS. HAMPTON: Yes, sir.

15                  CHAIRMAN WALCH: Okay. And I take it the  
16                  arrow will point to the roadway to the west, and this  
17                  sign, the handicap, it will point -- be the  
18                  handicapped entrance?

19                  MS. HAMPTON: Uh-huh.

20                  CHAIRMAN WALCH: And point to the east  
21                  road?

22                  MS. HAMPTON: Uh-huh.

23                  CHAIRMAN WALCH: Thank you for explaining  
24                  that to me. I was a little confused by just the  
25                  nature of what you are requesting.



1                   My second question is this: The ordinance  
2 limits the size of the sign to one square foot. Did  
3 you get any professional advice concerning whether  
4 complying with that size of limitation could achieve  
5 your purpose?

6                   MS. HAMPTON: We did. From Adler Sign  
7 Works.

8                   CHAIRMAN WALCH: What was the nature of  
9 that advice?

10                  MS. HAMPTON: The nature of that advice was  
11 that we needed larger signs than could be accommodated  
12 with the sign ordinance, and to go with as few words  
13 as possible.

14                  CHAIRMAN WALCH: Was that for legibility  
15 purposes?

16                  MS. HAMPTON: Correct.

17                  CHAIRMAN WALCH: That was my main question.  
18 Any other questions before we excuse this appellant?

19                  MR. SCHLAFLY: Maybe the question is, if  
20 you were to have a satisfactory sign at the western  
21 entrance, that is an objective that is the most  
22 essential for the directional needed for the church  
23 and its ongoing affairs?

24                  MS. HAMPTON: That would be our highest  
25 priority.

1 MR. SCHLAFLY: Traffic going east coming up  
2 the hill on the curve it doesn't have a lot of time,  
3 sight line time to be able to see the entrance.

4 MS. HAMPTON: Correct.

5 MR. SCHLAFLY: Is that a complaint that you  
6 all receive frequently?

7 MS. HAMPTON: We receive regularly. The  
8 low church sign that's placed there isn't adequate  
9 identification of our site, basically.

10 CHAIRMAN WALCH: We actually drove it  
11 during our site visit, because that was in your  
12 letter, and it's exactly as you describe it.

13 MS. HAMPTON: Thank you.

14 CHAIRMAN WALCH: All right. No more  
15 questions from the board. Thank you very much,  
16 Ms. Hampton.

17 MS. HAMPTON: Thank you.

18 CHAIRMAN WALCH: Does any other member of  
19 the public wish to speak to this case? Hearing none,  
20 I'm going to close the public portion of this hearing  
21 and we will proceed with the discussion and determine  
22 whether a variance should be granted or not.

23 Who wants to start our discussion, anybody  
24 in particular?

25 MR. SHILLINGTON: I have traveled that area

1 a lot of times, and again today. Coming from the  
2 west -- coming up that hill and then a curve right at  
3 the top of the hill, even though I know where the  
4 church is, it's tough to get to. I also think the  
5 church has a lot of events that is not necessarily  
6 just with the church itself, or the nursery school,  
7 they have evening events.

8 CHAIRMAN WALCH: I have been to any number  
9 of large funerals there, and a few weddings.

10 MR. SHILLINGTON: Finally, I think there is  
11 precedence for the MICDS -- using the MICDS sign, is  
12 what I think.

13 MS. FORSHAW: I can certainly see the need  
14 for some more signage at this location. And the one  
15 square foot restriction that's really designed for a  
16 residential district seems assuredly small in this  
17 case. There is a real question in my mind as to does  
18 the signage need to be as large as proposed, and maybe  
19 two of them.

20 MS. TOFT: I have to agree. I used to be a  
21 sign liberal where I thought that key businesses  
22 should have all the signs they wanted. And now I  
23 appreciate that we do need to proceed with caution  
24 when we grant variances.

25 I understand the sign at the western

1 entrance. I guess there are a couple of things that I  
2 question about that sign, and that is the size of it  
3 as driven by the need to have an insignia on it, to  
4 have all capital letters, to have an address on it,  
5 and to have things that really, if these are intended  
6 to alert drivers if they are going to Ladue Chapel and  
7 they want to make a right turn at the main entrance,  
8 or a left turn, if that's the main entrance I would  
9 think all you need to do is say "Ladue Chapel main  
10 entrance." And if we took off the address and we took  
11 off the insignia, although if they want the insignia  
12 it could be made smaller, you get a complex with the  
13 directional requirements of the sign with a lot less  
14 signage.

15           And when you look at the sign in  
16 perspective and it's white as opposed to black or  
17 green or something more natural, that's to me a very  
18 large sign that probably one-third which isn't needed  
19 to accomplish its goal.

20           And if we were to grant the variance for  
21 the sign at the western drive, then I don't see why we  
22 need to have an equally large sign at the eastern  
23 drive when again I don't think we need to restate the  
24 address. I don't know that we need to allow room for  
25 an insignia when what we really are trying to

1 accomplish is to notify people that they are going to  
2 Ladue Chapel, and if they want to use the handicapped  
3 entrance that this is where they could turn. I think  
4 that sign could be reduced in size by about 50 percent  
5 of that requested and still accomplish the goal.

6 I think having two monument signs like that  
7 flanking a very distinguished structure is going to be  
8 a landscape clutter, and it's going to create a lot of  
9 signage on a busy roadway, and it's going to put more  
10 information out there than what a driver needs to  
11 accomplish the goal.

12 MR. SCHLAFLY: I mean on the eastern sign  
13 it could lead to Log Cabin Club wants a sign across  
14 the street to lead directions to their events.

15 MS. FORSHAW: Could I ask Mr. Gartenberg,  
16 if this property were zoned commercial, what would be  
17 the applicable sign size that would be allowed.

18 MR. GARTENBERG: The message here, it's not  
19 a commercial message. It's a directional sign. And  
20 this Section 130 specifically applies to that  
21 condition regardless of the zoning.

22 MS. FORSHAW: Okay.

23 MS. TOFT: Mr. Chairman, I would be  
24 proposed to try to draft a motion.

25 CHAIRMAN WALCH: All right. I think that's

1 the best way to proceed. There seem to be some  
2 differences of opinion here.

3 MS. TOFT: And it's going to be a bit  
4 rugged, and I would be amenable to a friendly  
5 amendment, but, Mr. Chairman, I would move that the --  
6 the decision of the deputy building commissioner be  
7 reversed and a variance granted. However, the  
8 variance would limit the size of the western  
9 directional sign to 70 percent of the requested size.  
10 And would limit the size of the eastern directional  
11 size to 50 percent of the requested size.

12 And my motion would be based upon the  
13 hardship due to the western entrance in relation to  
14 the roadway, and the hardship as to the eastern  
15 entrance just to give people sufficient time to see  
16 that is where they should turn if they are handicapped  
17 and wish to park in a handicapped spot.

18 CHAIRMAN WALCH: All right. Is there a  
19 second for that motion?

20 MR. SHILLINGTON: I will second it.

21 CHAIRMAN WALCH: The motion has been made  
22 and seconded. Is there any discussion?

23 MR. SCHLAFLY: I would raise the question  
24 as to the need for the eastern sign and to focus maybe  
25 on the western sign. I would just raise the concern

1 clustered on Log Cabin Lane. Are we going to have a  
2 request from Log Cabin Lane applying for a permit?

3 CHAIRMAN WALCH: That would be on their  
4 golf course, and so I doubt that it's likely.

5 MR. SCHLAFLY: They would have a right to  
6 have a sign there.

7 CHAIRMAN WALCH: They would, but I don't  
8 think they would want to. At least the golf-playing  
9 membership wouldn't.

10 MS. TOFT: Mr. Schlafly, you think that the  
11 one square foot sign for the eastern entrance should  
12 be adequate?

13 MR. SCHLAFLY: I would. I think that the  
14 eastern is not the issue here, it's the western  
15 location that is achieving the results. And if we are  
16 trying to minimize the impact at the variance and  
17 enlarge the sign at this particular location, that  
18 would be more permissive on the western side where  
19 they have notable issues with access to the property.  
20 And then leave alone what they have on the eastern  
21 side, which should be sufficient. Coming from east to  
22 west, and certainly coming from west to east they will  
23 see an entrance. If you want a round discussion I'm  
24 open to it.

25 MS. FORSHAW: What is currently there on

1 the eastern entrance? Is there a sign there now?

2 MR. GARTENBERG: A 12-by-12.

3 MS. HAMPTON: It's a very small sign that  
4 simply says entrance.

5 MR. SCHLAFLY: Slightly less than 12-by-12.

6 MS. HAMPTON: Yes.

7 MR. GARTENBERG: And for clarification  
8 purposes, I want to bring up the fact that the code  
9 deals with the gross sign area of both faces.

10 MS. TOFT: Both sides?

11 MR. GARTENBERG: Both sides at a time.

12 MR. SCHLAFLY: So that would be 6-by-6 you  
13 are saying?

14 MS. TOFT: 6 inches by 6 inches if there  
15 was a sign.

16 MR. GARTENBERG: 6 inches by 12 inches  
17 twice.

18 MR. SCHLAFLY: Okay. Then back to your --  
19 back to your thought. I will go back with you.

20 CHAIRMAN WALCH: I would like to ask the  
21 appellant a question, Ms. Toft, as I'm not, an  
22 engineer nor a sign expert. Do you believe you could  
23 fashion an adequate sign to get the message out if  
24 they used the 70 percent of the 50 percent numbers  
25 that Ms. Toft cited in her motion?



1 MS. HAMPTON: I believe we could try,  
2 certainly.

3 CHAIRMAN WALCH: Your consultant is shaking  
4 her head.

5 MS. GOUGHENOUR: Yes, I think it can.  
6 There are a few things we can get smaller if it helps  
7 to get the sign there.

8 CHAIRMAN WALCH: There has been a motion  
9 made and seconded. Is there any further discussion on  
10 the motion?

11 MS. FORSHAW: I guess I just have a  
12 question for clarification.

13 We are not really -- this motion still  
14 contemplates giving them the full height area  
15 requested; right?

16 MS. TOFT: Well --

17 MS. FORSHAW: Potentially.

18 MS. TOFT: Potentially the sign and the  
19 shape could be reconfigured so that it may  
20 potentially -- I think you are right, that we have to  
21 mention the two-foot restriction. Because I'm looking  
22 at this currently as requested, it's 40 by 24 inches.  
23 And depending on which way you run that, 70 percent of  
24 that would probably still be over 2 feet.

25 And so it might be necessary, and it's a

1 good point by Ms. Forshaw, we probably should consider  
2 whether the amendment would include on the westernmost  
3 sign. So happens even though you seconded it,  
4 Mr. Shillington, I'm wondering if perhaps this  
5 shouldn't be crafted as two separate -- so we address  
6 each sign separately so that we can determine if we  
7 can get --

8 CHAIRMAN WALCH: You may withdraw your  
9 motion with Mr. Shillington's consent.

10 MR. SHILLINGTON: Certainly.

11 MS. TOFT: All right. Mr. Chairman, I  
12 would then like to make two separate motions, or I  
13 will make one motion and it seems to me that it's the  
14 general agreement that it's the sign on the western  
15 drive that is the necessity. What I'm not clear on,  
16 if it's two and a half feet in height, or three feet  
17 in height would be needed, and I don't know if I would  
18 say three feet if there would be four members who  
19 would be in agreement, but it would allow you to add 1  
20 foot to the height but restrict the size to 70 percent  
21 of the requested 40 by 24.

22 MS. HAMPTON: May I comment on the height  
23 since we didn't address that earlier?

24 MS. TOFT: Personally I feel if we could  
25 ask questions of her sign consultant, I appreciate you

1 are the administrative secretary of the church.

2 MS. HAMPTON: Actually I'm the  
3 business administrator.

4 MS. TOFT: I'm sorry. It would help us, I  
5 think, if we could question your sign consultant so  
6 that we could get some understanding.

7 CHAIRMAN WALCH: You can ask her the  
8 questions. She hasn't been sworn as a witness.

9 (At this time Mr. Goughenour was sworn in  
10 by the court reporter.)

11 MS. TOFT: If I perhaps could just ask you  
12 some questions so we can expedite matters a bit. If  
13 we were to take off the insignia, and take off the  
14 address, and I'm speaking only of the sign for the  
15 western driveway. I assume you believe it needs to  
16 stay in capitals for that structure, and main entrance  
17 or entrance, does it have to say "main entrance"?

18 MS. GOUGHENOUR: I think the reason they  
19 did the "main entrance" is because of the other small  
20 location. It's tough for people driving to say, is  
21 this the main entrance, or is this where I pull in to  
22 park. I think that's why they wanted the "main  
23 entrance" on there. I do think it's needed. I do  
24 think we can tweak it down a little bit, but I think  
25 the main entrance would probably be a huge thing for

1     that sign.

2                   MS. TOFT:   I'm sorry.   I didn't hear.

3     What?

4                   MS. GOUGHENOUR:   Ladue and main entrance.  
5     I mean, with the arrow.   If we have to make it smaller  
6     I don't know if it's necessary that the arrow is  
7     needed.   I do think "Ladue Chapel" and "main entrance"  
8     should be on there for sure.

9                   MS. TOFT:   The request is for 40 inches by  
10    24 inches, and I think to reduce it 30 percent, let's  
11    just say one-third, reducing it by one-third.   Can you  
12    accomplish "Ladue Chapel main entrance" by having  
13    something roughly two-thirds the size?

14                  MS. GOUGHENOUR:   I think getting in there;  
15    I think if you made it a little smaller I think it  
16    would work.

17                  Just to address this real quick with MICDS,  
18    the school.   I did drive by there, and I know it's a  
19    larger location.   But there are a lot of signs in that  
20    area.   I know it's a school and it's directing you to  
21    different things.   But there is a monument sign just  
22    like Ladue Chapel, and they are set off with that  
23    sign.   What would be the difference between why Ladue  
24    couldn't get it over the other location?   Is it where  
25    it is?

1           MR. SCHLAFLY: We really don't want to  
2 address that point. We really want to try to solve  
3 this at the moment.

4           MS. FORSHAW: I would also say, MICDS is a  
5 vastly larger institution with many entrances.

6           MR. SCHLAFLY: It's 48 or 50 acres.

7           MS. GOUGHENOUR: It's important to know  
8 directional signs, I think, are really crucial there.  
9 That's the only one I was asking about.

10          MS. TOFT: These are directional signs, not  
11 advertising?

12          MS. GOUGHENOUR: Yes.

13          MS. TOFT: You are talking -- you heard  
14 them, 6 inches by 12 inches is what the code allowed,  
15 and so we are trying to -- we don't want the Lutheran  
16 Church across the street coming in and say they want a  
17 sign, and the next thing we know Clayton Road is a  
18 pretty unattractive roadway and everybody is confused  
19 because there are signs all over the place.

20          MR. GARTENBERG: Looking at the sign for  
21 the main entrance. Just to clarify. It shows the  
22 darkened gray, or the shade of gray, and then there is  
23 a nondimensioned open area that exists immediately  
24 above that. And an 8-inch high band, solid band, and  
25 another open area with its nondimension, and then the

1 sign itself which is 2 feet by 3 and a half feet. The  
2 40 inches. So that's 7 square feet per side. So a  
3 total of 14 for the entire sign. So as you are  
4 working with these numbers -- 70 percent --

5 MS. TOFT: It's still huge.

6 MR. GARTENBERG: That's roughly 5 square  
7 feet. 4.9 square feet per side. I just wanted to  
8 give you an idea of how that calculates out.

9 MS. TOFT: That's a lot.

10 MR. SHILLINGTON: If we were only doing one  
11 side it could be 18 by 40. But to cut it down, both  
12 sides count, now you are talking 20 by 18, or  
13 something like that, it's not very much.

14 MS. TOFT: So what do you think about -- if  
15 30 percent is 5 square feet, is 4 square feet per  
16 side, that's giving them a 700 percent increase.

17 MR. SHILLINGTON: I think you could do  
18 that. Particularly if you left out the address, and  
19 just use "Ladue Chapel main entrance".

20 MR. SCHLAFLY: Did you settle with the --

21 MS. TOFT: No. The other thing then if you  
22 are talking, you know, let's say a 4 square foot sign,  
23 4 square feet on each side, where we were talking 5 to  
24 30 percent, am I right?

25 MR. GARTENBERG: 5 square feet at 70

1 percent.

2 MS. TOFT: Okay. So if we talk a 4 square  
3 foot sign, if it's 2 feet high by 2 feet wide, then  
4 you are going to want it off the ground a little bit.  
5 I don't know if you can accomplish it in 2 and a half  
6 feet.

7 CHAIRMAN WALCH: That's going to be 8.

8 MS. TOFT: Right. I don't know. I'm  
9 not --

10 CHAIRMAN WALCH: I think you have got to  
11 take into account at some point people need to be able  
12 to read, and read it easily as opposed to just  
13 quibbling about these arbitrary sizes from both  
14 directions.

15 MR. GARTENBERG: I do think that based on  
16 the size limitations that the code provides, that if  
17 they were looking to extend it there would be a lot of  
18 information on these signs. A half a foot high by a  
19 foot wide is barely enough to put the word "entrance"  
20 on there and not much more.

21 MS. FORSHAW: I wonder if we are really  
22 competent to provide the detail on how the sign should  
23 be designed. I wonder if it would make more sense to  
24 entice the applicant to submit a new sign. That we  
25 consider a continuance for that purpose.

1 MS. TOFT: I'm okay with that. I would  
2 think need that we should come up with a square  
3 footage on the signs that they -- or some suggestion  
4 of an amount, otherwise they come back with 6 square  
5 feet, then we haven't accomplished -- I don't know.

6 MR. SHILLINGTON: I think that's a good  
7 idea.

8 CHAIRMAN WALCH: This case has been  
9 continued once. I would love to get it off our  
10 docket.

11 MR. SCHLAFLY: You had mentioned that  
12 approving a sign on the western side, 70 percent of  
13 what they proposed here. Are you still comfortable  
14 with that?

15 MS. TOFT: No, I am not. I didn't realize  
16 that we were counting both sides of the sign. That's  
17 an enormous variance. So now I'm thinking maybe 4  
18 square feet on each side. That would be -- 8 square  
19 feet would be a 700 percent increase in what the  
20 ordinance allows, and that's still seeming awfully big  
21 to me, but I would think you would need 2 feet by 2  
22 feet, or 3 feet or something like that to accomplish  
23 the information that you need if we make it much  
24 smaller than that. I don't know that --

25 MR. SCHLAFLY: Would be productive.



1 MS. TOFT: Yeah. So, Mr. Chairman, if I  
2 may try a second motion.

3 Mr. Chairman, I would move that based on  
4 the evidence presented we find there are practical  
5 difficulties and unnecessary hardship in carrying out  
6 the strict letter of the provisions of this chapter,  
7 and that we therefore grant a variance to permit  
8 directional signage on the western side -- sign for  
9 the western drive to allow the sign to have 4 square  
10 feet of signage on each side, thus allowing a total of  
11 8 square feet of directional signage for the sign.  
12 And I'm only now addressing the sign for the western  
13 driveway.

14 CHAIRMAN WALCH: All right.

15 MR. SCHLAFLY: I will second that.

16 CHAIRMAN WALCH: You will second that  
17 motion?

18 MR. SCHLAFLY: Yes.

19 CHAIRMAN WALCH: Any further discussion?  
20 Let's take a vote on that motion. How do you vote?

21 MS. TOFT: In favor.

22 MR. SCHLAFLY: In favor.

23 CHAIRMAN WALCH: In favor.

24 MS. FORSHAW: In favor.

25 MR. SHILLINGTON: In favor.

1 MS. GOUGHENOUR: No more questions?

2 CHAIRMAN WALCH: You may step back.

3 MR. BOMMARITO: What's the size of that  
4 frame behind us -- behind there? How big is that?

5 MR. GARTENBERG: Probably about 4 by 4 -- I  
6 mean 4 by 5, 4 by 6, maybe.

7 MR. BOMMARITO: So the sign would be half  
8 that?

9 MR. GARTENBERG: If this is 20 square feet,  
10 it would be about 20 percent of it, so it would be --  
11 this would be the corner of it. That would be roughly  
12 4 square feet.

13 MR. BOMMARITO: So from the top down or the  
14 bottom up?

15 MR. GARTENBERG: I don't know if my arm is  
16 that long. It should be a square up there, my pen  
17 being the corner of it.

18 MS. TOFT: On the eastern drive I don't  
19 know how -- we have heard no evidence of how large it  
20 needs to be in order to convey "Ladue Chapel  
21 handicapped entrance". We can just --

22 CHAIRMAN WALCH: Well, we have already  
23 approved one motion, one variance. We can ask the  
24 appellant if you would prefer a continuance on the  
25 second sign and resubmit a another application.

1 Otherwise under our rules you have got to wait six  
2 months.

3 MS. HAMPTON: A continuance would be fine.

4 CHAIRMAN WALCH: On the eastern side.

5 MR. GARTENBERG: If I can offer a  
6 suggestion. The handicap parking is in front of the  
7 building?

8 MS. HAMPTON: Yes.

9 MR. GARTENBERG: So it's accessible from  
10 either drive?

11 MS. TOFT: Yes.

12 MR. GARTENBERG: You haven't designated the  
13 entrance.

14 MS. TOFT: That was why I was asking so  
15 many questions at the beginning. I didn't understand  
16 why handicapped drivers had to -- it seems to me a  
17 handicapped driver could approach the church from  
18 either direction.

19 MR. GARTENBERG: My way of thinking, that's  
20 the one area that is accessible.

21 MS. HAMPTON: May I answer that question?

22 At the current time we don't allow a left  
23 turn into the front parking lot because you are having  
24 to cross the traffic, and if there is two cars waiting  
25 to turn there, which happens on Sunday morning, then

1 you are starting to worry about people who are coming  
2 in Clayton Road.

3 MS. TOFT: Backing up on the roadway.

4 MS. HAMPTON: Backing up on the road.

5 MS. TOFT: It seems to me it's an eastern  
6 drive, all it has to say is "handicapped entrance".  
7 It doesn't need to say Ladue Chapel. It doesn't need  
8 an insignia. It doesn't need an address. Because at  
9 that drive it's not confusing, I don't think, as to  
10 whom -- what structure is being serviced by that sign.  
11 And so, I mean, I don't know why it would need to be  
12 more than 2 square feet to accomplish that. Because  
13 right now they have a very small sign.

14 CHAIRMAN WALCH: Well, what she is saying  
15 is you don't have to come back -- we will continue the  
16 case, you don't have to come back if you can comply  
17 with the ordinance on the eastern side.

18 MS. TOFT: That would be 6 inches by a  
19 foot.

20 CHAIRMAN WALCH: 6 inches by a foot.

21 MS. HAMPTON: It's not going to be large  
22 enough to say "entrance", plus the wheelchair sign,  
23 plus even "accessible". I would suggest that a sign  
24 this big isn't going to be even big enough to say  
25 entrance and have the wheelchair on it in such a way

1 it's going to be legible from the roadway.

2 CHAIRMAN WALCH: This is -- I mean, I'm not  
3 terribly sympathetic with trying to design the sign.  
4 It's just extraordinarily restrictive. It's virtually  
5 impossible to accomplish, in my opinion, a meaningful  
6 directional sign and still comply with this ordinance.  
7 It's almost diminimus. That's just my personal  
8 opinion.

9 MS. TOFT: I mean, do we want to allow a  
10 foot, 1 foot by 2 feet? You know, each side?

11 CHAIRMAN WALCH: I think we have already  
12 solved the thing. We have passed one motion which  
13 deals with the main entrance, the real main entrance  
14 to Ladue Chapel. They think they can design something  
15 that would comply with that motion that will be  
16 satisfactory. If they want, we can grant them a  
17 continuance on the eastern side so they can come back  
18 any time they want to come back, they don't have to  
19 wait six months if they want to come back for a  
20 variance on the eastern side. They can figure they  
21 don't need a sign or they --

22 MS. HAMPTON: If I can clarify then. In  
23 terms of the eastern sign, we need to come back with a  
24 suggestion for a more compact sign.

25 CHAIRMAN WALCH: More compact sign.

1 MS. HAMPTON: That ideally either equals  
2 the 2 by 2 that you prefer on the western side, or  
3 smaller?

4 MS. TOFT: I would say it's going to have  
5 to be smaller. I don't think we would be agreeable to  
6 granting you a 4 square foot on each side. Again you  
7 would be looking at a 700 percent improvement of the  
8 ordinance. I think that's going to be asking for too  
9 much from what I have heard here.

10 MR. GARTENBERG: Is it the board's desire  
11 that the code requirement concerning height of the  
12 directional signs be adhered to?

13 MS. TOFT: Well, Mr. Gartenberg, we have  
14 been presented no evidence that they need a variance  
15 on the height. I guess we can try to amend the  
16 motion.

17 MR. GARTENBERG: The motion didn't speak to  
18 that. I wanted to make sure that wasn't intentional.

19 MS. TOFT: I don't know what they need.  
20 You know, I'm not a sign designer. I guess I would  
21 say --

22 MS. HAMPTON: Since height wasn't addressed  
23 in the first place, the reason for asking for that  
24 height is again for safety and visibility in terms  
25 of -- I mean, it's relatively high enough for sedans,

1 but it's not -- the ordinance does not take into  
2 account the preponderance of SUVs, vans, trucks that  
3 also are approaching from that curve.

4 MS. TOFT: Does your sign designer want to  
5 give us any testimony as to what height the sign would  
6 be necessary to accomplish that?

7 MS. GOUGHENOUR: We actually came out to  
8 Ladue Chapel and put the cardboard piece up to  
9 actually see if you could see cars coming by that  
10 didn't block it was 4 feet. Because sitting at that  
11 spot you can still see cars, and they can see you, but  
12 the sign is still there so they know where to turn.

13 MS. TOFT: So the sign also creates a  
14 potential visual obstacle for the vehicles entering  
15 Ladue Chapel by the western drive?

16 MS. GOUGHENOUR: No, it doesn't. That's  
17 all we knew to do. We just took it out to see exactly  
18 what would work.

19 MR. SHILLINGTON: 2 feet is like this, and  
20 so that should give you enough visibility, I think.

21 MS. TOFT: And they are wanting to go 4  
22 feet in height.

23 MS. GOUGHENOUR: No. That's wasn't the  
24 original.

25 MR. SCHLAFLY: It sounds like --

1 MS. TOFT: You can do it in 2 feet of  
2 height, is that what you are saying?

3 MS. GOUGHENOUR: Yes.

4 CHAIRMAN WALCH: I'm sorry for the  
5 confusion.

6 MS. HAMPTON: Just one last question. Is  
7 the 2 feet to the bottom of the sign, or is that total  
8 off the ground, from the ground to the top of the  
9 sign?

10 MR. SHILLINGTON: 2 feet or less, that's  
11 the total.

12 MR. GARTENBERG: From the ground to the top  
13 of the sign.

14 MS. HAMPTON: Has to be less than 2 feet?

15 CHAIRMAN WALCH: 2 feet or less.

16 MS. HAMPTON: Okay. So what we are talking  
17 about then is a sign that's going to be this tall.

18 MR. SHILLINGTON: Yes.

19 MS. HAMPTON: And this far off the ground,  
20 and that wide.

21 MS. TOFT: Did we specify the distance off  
22 the ground?

23 MR. GARTENBERG: The height. Yes, the  
24 height. Relative to the ground.

25 MS. TOFT: But it doesn't say it has to be



1 a certain distance off the ground?

2 MR. GARTENBERG: No. The height of the  
3 sign.

4 MS. TOFT: You can have it touch the ground  
5 but you can't have the top of it exceed 2 feet above  
6 the ground.

7 MS. HAMPTON: That's what I'm saying. Just  
8 this far off the ground and 2 feet by 2 feet.

9 MS. TOFT: Well, 4 square feet on each  
10 side. So a total of 4 square feet on each side. How  
11 you choose to accomplish that is up to you.

12 MS. HAMPTON: I understand. And will we be  
13 getting a letter of some sort clarifying the exact  
14 terms?

15 MR. WOOLDRIDGE: I will send something.  
16 What did you decide on the height?

17 MS. TOFT: 4 square feet on each side  
18 total, no variance to the height.

19 MR. WOOLDRIDGE: I will send you something.

20 MS. HAMPTON: I appreciate that. Thank  
21 you. Thank you for your time.

22

23

24

25

CERTIFICATE OF REPORTER

I, Bobbie L. Lubber, Registered Professional  
Reporter, Certified Court Reporter, and Notary Public  
within and for the State of Missouri, do hereby  
certify that the meeting aforementioned was held on  
the time and in the place previously described.

IN WITNESS WHEREOF, I have hereunto set my hand  
and seal.

A handwritten signature in blue ink, appearing to read "Bobbie L. Lubber", is written over a horizontal dashed line.

Bobbie L. Lubber, RPR, CCR #621

